

Fentanyl Awareness for Children and Teens in Schools (FACTS) Act

SECTION-BY-SECTION

SECTION 1. Short title, table of contents.

This section provides a title for the legislation and includes a table of contents.

SEC. 2. Purposes.

This section declares that the purpose of the legislation is to establish education partnership programs, develop a whole-of-government approach, increase professional development opportunities for school employees, and improve the availability and usability of data to address the misuse of synthetic opioids by youth.

SEC. 3. Definitions.

This section includes definitions for the following terms: “classified school employee”, “Secretary”, “synthetic opioids”, “elementary school”, “evidence-based”, “local educational agency”, “parent”, “secondary school”, “State”, and “state educational agency.”

TITLE I

SEC. 101. Synthetic opioid misuse and overdose education, awareness, and prevention pilot program.

This section establishes a pilot program, administered by the Department of Health and Human Services (HHS) in coordination with the Department of Education (ED), creating three-year grants to establish or strengthen partnerships between public health agencies, nonprofit organizations, and state or local educational agencies (SEAs or LEAs) to prevent the misuse and overdose of synthetic opioids by youth. The partnerships must make materials or programs developed publicly available and widely accessible, and can use available funds for activities including:

- Developing evidence-based materials for teachers to use as a component of classroom instruction, and sharing these materials with parents and families;
- Designing evidence-based professional development for teachers, school leaders, specialized instructional support personnel, classified school employees, and other school staff members;
- Developing in- and out-of-school workshops for students, families, and teachers to attain information about the misuse of synthetic opioids;

- Creating efficient and effective multimedia communication campaigns, including through social media, to maximize outreach efforts to students, parents, and families;
- Awarding contracts to nonprofit organizations specializing in substance misuse prevention education efforts; and
- Establishing peer support services to support the work of school-based mental health professionals.

SEC. 102. Authorization of appropriations; reservation.

This section authorizes \$50 million for fiscal years 2024 through 2026 to carry out the grant program in section 101, and reserves three percent of the available amount to provide technical assistance to grantees and conduct an evaluation of the effectiveness of the grant program in reducing synthetic opioid misuse among youth.

TITLE II

SEC. 201. Interagency Task Force on Preventing Synthetic Opioid Misuse and Overdose Among Youth.

This section establishes an inter-agency taskforce to identify and disseminate best practices in education and prevention regarding the misuse of synthetic opioids by youth. Members of the task force will include these individuals or their designees:

Secretary of HHS, Secretary of Education, Assistant Secretary for Mental Health and Substance Use (SAMHSA), Assistant Secretary for Children and Families, Director of the CDC, Assistant Secretary for Elementary and Secondary Education, Director of the Agency for Health Research and Quality, the Surgeon General, the Director of the National Institute of Mental Health, 2-3 parents of youth who died from a fentanyl or other synthetic opioid overdose, 1-2 representatives from nonprofits working to raise awareness about and prevent synthetic opioid misuse in youth

SEC. 202. Rule of construction.

This section clarifies that nothing in Title II will limit or alter the authority of any of the agencies participating in the task force in section 201 from carrying out existing programs and initiatives to reduce synthetic opioid overdose and misuse.

TITLE III

SEC. 301. Professional development for school personnel.

This section amends Title II of the Elementary and Secondary Education Act of 1965 (ESEA) to provide professional development to educators and other school employees regarding how to address and prevent the misuse of synthetic opioids among students.

SEC. 302. Amendments to local educational agency plans.

This section amends ESEA to require LEAs to submit information to ED about how they will engage teachers, school leaders, and other stakeholders to address and prevent the misuse of synthetic opioids.

SEC. 303. Amendments to State educational agency plans.

This section amends ESEA to require SEAs to submit information to ED about how they will provide support to LEAs receiving federal funding in addressing and preventing the misuse of synthetic opioids by students.

TITLE IV

SEC. 401. Civil rights data collection on access to synthetic opioids.

This section requires each Civil Rights Data Collection, or successor to such data collection, conducted by the Department of Education to collect data on the prevalence of fentanyl and other synthetic opioids at secondary schools receiving federal funding, and on suspensions, expulsions, and arrests of students resulting from the use or possession of fentanyl and other synthetic opioids in secondary schools.

SEC. 402. National Center for Education Statistics School Crime and Safety Data.

This section amends the Education Sciences Reform Act of 2002 to require each National Center for Education Statistics (NCES) School Crime and Safety Data collection to include data on access to synthetic opioids in schools and the effects of such substances on school safety and student health and well-being.

TITLE V

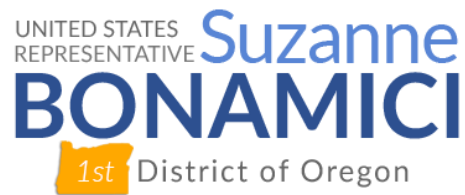
SEC. 501. Naloxone in school-based health centers.

This section provides school-based health centers receiving federal funding with the option of purchasing Naloxone using federal funds.

SEC. 502. Amendments to the Monitoring the Future survey.

This section requires each subsequent Monitoring the Future Survey conducted by the National Institute on Drug Abuse to include indicators measuring the use of, perception of harm of, and access to counterfeit and synthetic opioids among youth.

SEC. 502. Youth Risk Behavior Survey.



This section requires that the Director of the CDC include questions related to the use of, awareness regarding, and exposure to synthetic opioids in each subsequent Youth Risk Behavior Surveillance System survey.

SEC. 504. Evaluation of the effectiveness and reach of the State Unintentional Drug Overdose Reporting System.

This section requires that the Director of the CDC conduct an evaluation of the effectiveness of the State Unintentional Drug Overdose Reporting System in collecting and reporting data regarding the effects of synthetic opioids on youth. The results of this evaluation will be reported to the House Education and Workforce and Energy and Commerce Committees, and the Senate Health, Education, Labor, and Pensions Committee. This section authorizes \$250,000 in fiscal year 2024 to conduct this survey.